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CALLED TEL. NO.: (703) 872-9314 *BH* DWK
TO : U.S. Patent and Trademark Office - Attn: Examiner R. Yang
FROM : Greenblum & Bernstein, P.L.C., Joshua M. Povsner
DATE : April 12, 2004
SUBJECT : U.S. Patent Application No. 09/608,008 in the name of T. NAKAYAMA, entitled "Image Processing Computer System for Photogrammetric Analytical Measurement" Our Ref.: P19355

Dear Mr. Yang:

Pursuant to our telephone conversation of April 9, 2004, in which you indicated that you had not received the Response Under 37 C.F.R. §1.116 that we filed on February 12, 2004, please find attached hereto a copy of the Response, along with a stamped Filing receipt that accompanies the Response (the stamp indicating receipt by the PTO on February 12, 2004). As the attached Response was submitted after final rejection, we hope that you will act on the Response as soon as possible.

If there should be any questions, please do not hesitate to contact Joshua Povsner at the below-listed telephone number.

Best regards,
Bruce H. Bernstein/JMP

APR. 9, 2004 4:03PM
P19355.P07

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NO. 7937 P. 2
Mail Stop AF

COPY

Response under 37 C.F.R. 1.116
Expedited Procedure Requested
Examining Group. 2672

In re application of : Toshihiro NAKAYAMA
Serial No. : 09/608,008
Filed : June 30, 2000
For : IMAGE PROCESSING COMPUTER SYSTEM FOR PHOTOGRAMMETRIC ANALYTIC
MEASUREMENT

Attorney Docket No. P19355

Group Art Unit: 2672

Examiner: R. R. Yang

Mail Stop AF
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an Amendment under 37 C.F.R. 1.116 in the above-captioned application.

- Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.
 A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.
 A Request for Extension of Time.
 No Additional Fee.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 33	37	0	x 9=	\$	x 18=	\$ 0.00
Indep. Claims: 4	4	0	x 43=	\$	x 86=	\$ 0.00
Multiple Dependent Claims Presented			+145=	\$	+290=	\$ 0.00
Extension Fees for Month				\$		\$ 0.00
			Total:	\$	Total:	\$ 0.00

*If less than 20, write 20

**If less than 3, write 3

Please charge my Deposit Account No. 19-0089 in the amount of \$ _____.

N/A A Check in the amount of \$ _____ to cover the filing/extension fee is included.

The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of times fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136)(a)(3)

Bruce H. Bernstein
Reg. No. 29,027

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1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

2/12/2004

File In: MAILROOM

The Patent Office Date stamp hereon is an acknowledgement that, on the date indicated, the Patent Office received the following:

- Amendment 1-116
- Executed Assignment and cover letter
() by facsimile
- Executed S.E.S. () S.E.S. Assertion
- Req. for Ext. of Time
- Fee Filing ()
Recording ()
Issue ()
Extension ()
_____ ()
- Fee Transmittal
- Maintenance Fee Payment
- PTOL-858 Issue Fee
- Letter to Draftsman
- Design Patent Application Transmittal
- Utility Patent Application Transmittal
- Provisional Application Cover Sheet
- Continued Prosecution Application
(CPA) Request Transmittal
- Request for Continued Examination (RCE)
including Submission
- Cover Letter
- Check No. for \$
- Rule 53b and 53f Letter for
Unexecuted Application
- Claim of Priority & Certified
Copy of _____
- Declaration () Supplemental
() New () Unexecuted
() Executed by facsimile
- Transmittal Letter
- Patent Application
() Provisional () Reexam
() Reissue () Design
() Continuation () CIP
_____ pages (w/abstract)
_____ claims _____ independent
_____ sheets of drawings
_____ figures
- I.D.S. form PTO-1449 &
References () as attached
() as listed on
reverse
- One self-addressed postcard
- Certification under 1.97(e)
- Certificate of Mailing (C-O-M)
- Returned Envelope



In the matter of : IMAGE PROCESSING COMPUTER SYSTEM FOR PHOTOGRAMMETRIC
ANALYTIC MEASURMENT

Applicant : Toshihiro NAKAYAMA

Application No. : 09/608,008

Filed : 6/30/2000

Patent No. :

Issued :

Docket : P19355

JMP

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P19355.A09

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Toshihiro NAKAYAMA Group Art Unit: 2672
Appln. No. : 09/608,008 Examiner: R.R. Yang
Filed : June 30, 2000
For : IMAGE PROCESSING COMPUTER SYSTEM FOR
PHOTOGRAMMETRIC ANALYTIC MEASUREMENT

RESPONSE UNDER 37 C.F.R. §1.116

Commissioner of Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir :

In response to the Advisory Action of the U.S. Patent and Trademark Office dated December 17, 2003, maintaining the rejections set forth in a Final Official Action dated August 13, 2003 (in which a three-month shortened statutory period for response was set to expire on November 13, 2003), the period for response having been extended on January 13, 2004 by a Notice of Appeal and Request for a (two-month) Extension of Time to expire on March 15, 2004 (March 13, 2004 falling on a Saturday), Applicant respectfully requests reconsideration and withdrawal of each of the outstanding rejections, as well as an indication of the allowability of all the claims now pending.